APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,656	05/10/2005	Andrew J Fisher	GB02 0190 US	6877

24738	7590	09/26/2006

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
INTELLECTUAL PROPERTY & STANDARDS
1109 MCKAY DRIVE, M/S-41SJ
SAN JOSE, CA 95131

EXAMINER
ALPHONSE, FRITZ

ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary for Applications Under Accelerated Examination	Application No. 10/534,656	Applicant(s) FISHER ET AL.
	Examiner Fritz Alphonse	Art Unit 2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Since this application has been granted special status under the accelerated examination program,

NO extensions of time under 37 CFR 1.136(a) will be permitted and a SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE:

ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER,
FROM THE MAILING DATE OF THIS COMMUNICATION – if this is a non-final action or a *Quayle* action.
(Examiner: For **FINAL** actions, please use PTOL-326.)

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

Status

1)☒ Responsive to communication(s) filed on *10 May 2005*.

2)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

3)☒ Claim(s) *1-7 and 9-11* is/are pending in the application.

    3a) Of the above claim(s) _____ is/are withdrawn from consideration.

4)☐ Claim(s) _____ is/are allowed.

5)☒ Claim(s) *1-7 and 9-11* is/are rejected.

6)☐ Claim(s) _____ is/are objected to.

7)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

8)☒ The specification is objected to by the Examiner.

9)☒ The drawing(s) filed on *10 May 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

10)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

11)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *20*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

0.1   This Office Action is in response to the preliminary amendment filed on 5/10/2005.

Claims 8, 12-13 have been canceled.

Specification

1.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-7, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brailean (U.S. Pat. No. 6,134,237) in view of Tarrab (5,195,093).

As to claim 1, Brailean (figs. 1-3) discloses a method of communicating data between terminals of a communication system, wherein each datagram comprises redundancy check data used to verify datagram integrity, the method including the steps of: generating a first datagram comprising message data and first redundancy check data, which first redundancy check data is

computed in dependence on the message data (col. 2, lines 49 through col. 3 line 5); sending the

first datagram from a first terminal (101) to a second terminal (121); verifying the integrity of the

first datagram (col. 5, lines 4-22). Brailean (figs. 1-3) discloses a method of sending a second

datagram from the second terminal to the first terminal; verifying the integrity of the second

datagram; and, in the case where the integrity of the second datagram is confirmed, identifying

that the second datagram is the response to the first datagram (col. 9, lines 52 through col. 10 line

6).

Brailean differs from claim 1 in that he does not specifically disclose "generating a

second datagram which comprises second redundancy check data, which second redundancy

check data is computed in dependence on response data and first redundancy check data".

However, in the same field of endeavor, Tarrab discloses a method for ensuring CRC

error-generation by a data communication station, which generates a second datagram which

comprises second redundancy check data, which second redundancy check data is computed in

dependence on response data and first redundancy check data (col. 5, lines 2-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

of the invention to combine Brailean's system with data communication station, as disclosed by

Tarrab. Doing so would provide a method and apparatus for ensuring reliability in a data

processing system implementing a data communication protocol.

As to claims 2, 3, Brailean does not explicitly discloses a method including the steps of:

calculating a third redundancy check data in dependence on the message data; comparing a third

redundancy check data with first redundancy check data; calculating a fourth redundancy check

data in dependence on the response data and first redundancy check data; comparing a fourth redundancy check data with second redundancy check data.

However, the limitations are obvious an very well known in the art, as evidenced by Collier (U.S. Pat. No. 6,732,318). See column 6, lines 18-40.

As to claims 4, 5 and 7, the claims have substantially the limitations of claim 1; therefore, they are analyzed as previously discussed in claim 1 above.

As to claim 6, Brailean (figs. 1-3) discloses a method, wherein the second datagram (121) further comprises the response data.

As to claim 9, Brailean (figs. 1-3) discloses a terminal for use in the communications system, the terminal comprising: a first port (101) operable to receive a datagram from another terminal; a processor operable to decode a received datagram (col. 10, lines 7-19); compute redundancy check data (col. 5, lines 23-39); compare redundancy check data; and generate a datagram (col. 2, lines 49 through col. 3 line 5); a first store operable to store program code instructions; a second store operable to store redundancy check data; a second port (121) operable to send datagrams to another terminal; and a third port operable to exchange data with a host application(col. 9, lines 52 through col. 10 line 6).

Brailean does not explicitly disclose a second store operable to store redundancy check data.

However, in the same field of endeavor, Tarrab discloses a method for ensuring CRC error-generation by a data communication station including a second store operable to store redundancy check data (col. 5, lines 2-38). See the motivation for the same reason disclosed in claim 1 above.

As to claims 10-11, Brailean (fig. 1) discloses a terminal in which the first store is non-volatile and further comprising a redundancy check data generator.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, <u>Fourth Floor</u> (Receptionist).

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fritz Alphonse

Art Unit 2133

September 15, 2006

GUY LAMARRE
PRIMARY EXAMINER